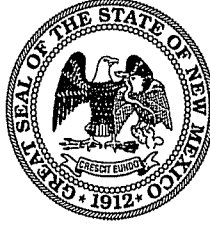


# NEW MEXICO PUBLIC REGULATION COMMISSION

## COMMISSIONERS

DISTRICT 1 JASON MARKS,  
DISTRICT 2 PATRICK H. LYONS, **CHAIRMAN**  
DISTRICT 3 JEROME D. BLOCK, **VICE CHAIRMAN**  
DISTRICT 4 THERESA BECENTI-AGUILAR  
DISTRICT 5 BEN L. HALL



Division of Insurance  
P.O. Box 1269  
1120 Paseo de Peralta  
Santa Fe, NM 87504-1269  
(505) 827-1291

Superintendent of Insurance  
John G. Franchini

## CHIEF OF STAFF

Johnny L. Montoya

July 28, 2011

Nevada General Insurance Co.  
Legal- Rachel Reinsvold  
4726 Central Ave. SW  
Albuquerque, NM 87105

Re: Genaro Cano Vs Nevada General Insurance Company  
CV2011-06937

Dear Mr. President:

In accordance with the provisions of NMSA 1978, Sections 59A-5-31 & 59A-5-32, enclosed is a Summons, Complaint for Declaratory Judgment and for Damages for Insurance Bad Faith and Arbitration Certification, in the State of New Mexico on the above styled cause. Service has been accepted on your behalf as of July 28, 2011.

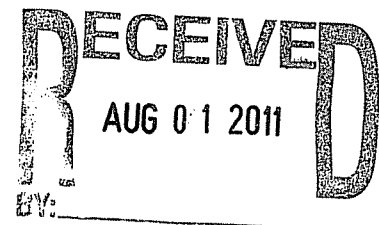
Respectfully,

A handwritten signature in cursive script, reading "John G. Franchini".

John Franchini  
Superintendent of Insurance

Enclosures

CERTIFIED MAIL 7009 2250 0004 2793 3407





COUNTY OF BERNALILLO  
SECOND JUDICIAL DISTRICT

GENARO CANO,

Plaintiff,

vs.

No. \_\_\_\_\_

NEVADA GENERAL INSURANCE  
COMPANY, a foreign corporation,

CV 2011 0 6 9 3 7

Defendant.

SUMMONS

THE STATE OF NEW MEXICO

TO : NEVADA GENERAL INSURANCE COMPANY, Defendant.  
c/o Superintendent of Insurance  
ADDRESS: New Mexico Public Regulation Commission  
PERA Building, 4th Floor, 1120 Paseo de Peralta  
Santa Fe, New Mexico 87501

You are required to serve upon Plaintiff(s) GENARO CANO, in care of counsel identified below, an answer or motion in response to the Complaint which is attached to this summons within thirty (30) days after service of this summons upon you, exclusive of the day of service, and file a copy of your answer or motion with the Court as provided in Rule 1-005 NMRA.

If you fail to file a timely answer or motion, default judgment may be entered against you for the relief demanded in the complaint.

Attorneys for Plaintiff: Cloyd G. Hinkle/Cynthia A. Braun  
Hinkle Law Offices, P.C.  
3939 San Pedro, N.E., Building A  
Albuquerque, New Mexico 87110  
505/883-4357

WITNESS the Honorable NAN G. NASH, District Judge of the Second Judicial District Court of the State of New Mexico and the Seal of the District Court of Bernalillo County, this \_\_\_\_\_ day of ~~JUL 12 2011~~, 2011.

JUANITA M. DURAN  
CLERK OF THE DISTRICT COURT

By: MONICA BACA  
DEPUTY

**NOTE:** This summons does not require you to see, telephone or write to the District Judge of the Court at this time.

It does require you or your attorney to file your legal defense to this case in writing with the Clerk of the District Court within 30 days after the summons is legally served on you. If you do not do this, the party suing may get a Judgment by Default against you.

The District Court complies with the Americans with Disabilities Act. It is counsel's or a pro se party's obligations to notify the clerk of the Court at least five (5) days before any hearing of the anticipated attendance of a disabled person so that appropriate accommodations can be made. The Court must be notified as to the appropriate type of accommodation which will be necessary.

Additionally, it is counsel's or a pro se party's obligation to notify the Clerk of the Court at least five (5) days in advance of any hearing for which a non-English language interpreter will be required.

If you want the advice of a lawyer and don't know one, you may wish to call the Albuquerque Bar Association Lawyer Referral Service at 243-2615, or the State Bar Lawyers Care Lawyer Referral at 797-6066.

**RETURN<sup>1</sup>**STATE OF NEW MEXICO )  
COUNTY OF \_\_\_\_\_ )

ss.

I, being duly sworn, on oath, say that I am over the age of eighteen (18) years and not a party to this lawsuit, and that I served this Summons in \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, by delivering a copy of this Summons, with copy of Complaint attached, in the following manner:

(check one box and fill in appropriate blanks)

- ☐ To Defendant \_\_\_\_\_ (used when Defendant accepts a copy of summons and complaint or refused to accept the summons and complaint).
- ☐ To the Defendant by [mail] [courier service] as provided by Rule 1-004 NMRA (used when service is by mail or commercial courier service.)

After attempting service the summons and complaint on the defendant by personal service or by mail or commercial courier service, by delivering a copy of this summons, with a copy of complaint attached, in the following manner:

- ☐ to \_\_\_\_\_, a person over fifteen (15) years of age and residing at the usual place of abode of defendant \_\_\_\_\_ (Used when the defendant is not presently at place of abode) and by mailing by first class mail to the defendant at \_\_\_\_\_ (Insert defendant's last known mailing address) a copy of the summons and complaint.
- ☐ to \_\_\_\_\_, the person apparently in charge at the actual place of business or employment of the defendant and by mailing by first class mail to the defendant at \_\_\_\_\_ (insert defendant's business address) and by mailing the summons and complaint by first class mail to the defendant at \_\_\_\_\_ (Insert defendant's last known mailing address).
- ☐ to \_\_\_\_\_, an agent authorized to receive service of process for Defendant \_\_\_\_\_.
- ☐ to \_\_\_\_\_, [parent] [guardian] [custodian] [conservator] [guardian ad litem] of Defendant \_\_\_\_\_ (used when defendant is a minor or an incompetent person).
- ☐ to \_\_\_\_\_ (name of person), \_\_\_\_\_, (title of person authorized to receive service. Use this alternative when the defendant is a corporation or an association subject to a suit under a common name, a land grant board of trustees, the State of New Mexico or an political subdivision).

Fees:

\_\_\_\_\_  
Signature of Person Making Service\_\_\_\_\_  
Title (if any)Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2011.<sup>2</sup>

My Commission Expires:

\_\_\_\_\_  
Judge, notary or other officer authorized to administer oaths.\_\_\_\_\_  
Official title**USE NOTES**

1 . Unless otherwise ordered by the court, this return is not to be filed with the court prior to service of the summons and complaint on the defendant.

2 . If service is made by the sheriff or a deputy sheriff of a New Mexico county, the signature of the sheriff or deputy sheriff need not be notarized.